



Class Justification and Approval

SECTION I: Introduction

41 U.S.C. 253, implemented by the Federal Acquisition Regulation, requires that TSA promote and provide for full and open competition; however, there are statutory authorities that authorize contracting without full and open competition (See FAR Part 6). This form documents the justification and approval of the use of one of the seven exceptions from competition. The Program Manager is required to draft the justification stating the reasons for using other than full and open competition in coordination with the Contracting Officer.

The Transportation Security Administration (TSA) Office of Information Technology and Office of Acquisitions propose to enter into a series of brand name specific contract actions for Apple products and services on the basis of other than full and open competition over a three-year period, with ceiling value of \$3 million. The Office of Acquisition's J&A tracking number is JA-2012-3-689.

SECTION II: Description of Action Being Approved

The Office of Acquisitions proposes to enter into multiple contract actions over the next three years to obtain Apple brand products and services to support specific areas of TSA's Risk Based Counter-Terrorism mission. These awards will procure Apple brand hardware, software and related services that are critical to meet a variety of operational, programmatic, and mission specific requirements.

This Class J&A expires three years from the date of authorization.

SECTION III: Description of Supplies or Services

The proposed procurements may include any products currently within or added to the Apple line of products to include but not limited to: Apple computers/laptops, Apple iPads, Apple iPhones, Apple iPods, Apple TV, Apple OS, Apple AppStore applications, Apple peripherals and accessories such as monitors, mice, and keyboards, and such services as installation, software updates, extended warranty and repairs, including AppleCare, required to support the Apple product line in an enterprise/production environment.

SECTION IV: Authority Cited

Check the authority under one of the seven exceptions listed under FAR 6.302 (see below); no other exception may be used.

☒ 41 U.S.C. 253(c)(1) Only one responsible source and no other supplies or services will satisfy agency requirements (See FAR 6.302-1)

☐ 41 U.S.C. 253(c)(2) Unusual and compelling urgency (See FAR 6.302-2. See HSAM if contract required for recovery from natural disaster, act of terrorism, or other man-made disaster.)

☐ 41 U.S.C. 253(c)(3) Industrial mobilization; engineering, developmental, or research capability; or expert services (See FAR 6.302-3)

☐ 41 U.S.C. 253(c)(4) International agreement (See FAR 6.302-4)

☐ 41 U.S.C. 253(c)(5) Authorized or required by statute (See FAR 6.302-5)

☐ 41 U.S.C. 253(c)(6) National security (See FAR 6.302-6)

☐ 41 U.S.C. 253(c)(7) Public interest (See FAR 6.302-7. Note that use of this exception requires approval by the

SECTION V: Reason to Support Authority for Sole Source Cited

TSA has identified an operational need to fill a gap in our current capabilities of equipment, software, and licensing to complete a variety of mission and business activities. Examples of this need include but are not limited to producing high-quality graphics; editing and producing broadcast-quality video, performing forensic network and computer examinations, operating in mobile and remote locations utilizing a secure mobile computing platform, delivering training and presentations using lightweight and highly portable devices, developing and testing internal and public facing applications for the most popular operating systems, and leveraging thousands of available mission and business related COTS mobile applications to drive increased operating efficiency and mission effectiveness. TSA currently has most of these capabilities in the "Microsoft Windows" and "RIM Blackberry" environments and requires the hardware, software and licenses to support a greater diversity of devices and operating systems as we follow the public driven demand for more mobility. One of the major OEMs today that produce a widely used full suite of hardware, software and licensing is Apple corporation. The other major TSA capability gap is the "Google Android" capability which is being addressed in a separate and similar action.

Graphics Production for on-line and print marketing and communication

The Office of Public Affairs (OPA) requires the purchase and maintenance of MacOS desktops, laptops, peripherals, and software to produce high-quality marketing and communications material for internal and external use in both print and on-line formats. Workforce Engagement is one of three key enablers for TSA to evolve into a "high performance, counter-terrorism organization". Apple MacOS equipment is the "gold standard" for high-end graphic production. TSA's in-house graphic designers are trained and experienced on the use and operation of Apple MacOS equipment and related graphics software optimized for the MacOS platform. With this equipment and software they directly support enhancing workforce engagement by producing on-line content for TSA's corporate intranet (iShare) and print collateral (posters, flyers, other signage) that is intended to engage and inform the workforce.

Video capture, editing, production, and distribution

The TSA Office of Public Affairs operates and maintains a broadcast-quality TV studio and requires the purchase and maintenance of MacOS desktops, laptops, peripherals, and software to support the development of video and multimedia communication with its 50,000+ field employees. TV Studio personnel are trained and experienced on the use and operation of Apple equipment and software in the capture, editing, production, and distribution of video utilizing Apple Final Cut Pro and other high-end video software for the MacOS. Additionally, the Office of Training and Workforce Engagement (OTWE), Office of Public Affairs (OPA), Office of Security Operations (OSO), and Office of Information Technology (OIT) are taking steps to make greater use of video communications with TSA. Specifically, TSA is planning to pilot a video version of the "National Shift Brief". This video briefing would be produced weekly by HQ and TV Studio personnel and distributed to the field where local content may be added. Apple iPhones, iPads, and iPods will be evaluated as a means of enabling video content to be seen on a secure mobile device at security checkpoints or other briefing location.

Forensics/Investigations

The Office of Information Technology Information Assurance Division and Office of Inspection require a variety of Apple MacOS equipment in order to conduct forensic examinations on network and computer equipment and to investigate cyber security incidents. Apple equipment is needed to match the type of equipment that is the subject of an investigation and to run forensic analysis software available only on the MacOS.

IT Security testing

As TSA moves toward enabling its remote and mobile workforce by providing a secure remote computing platform, devices, operating systems, and software applications must be tested to identify and evaluate security vulnerabilities. The Office of Information Technology Information Assurance Division requires the full range of Apple devices (including desktops/laptops, iPhones, iPads, iPods, etc.) for IT security testing and evaluation.

Secure Mobile Computing

The Office of Information Technology's Emerging Technology Branch explores technologies including hardware and software that could provide substantial benefit to TSA. In 2011, OIT initiated a Secure Mobile Computing (SMC) pilot

that will iteratively build into a full operating capability. Although the final SMC platform is envisioned to be device agnostic, due to security and usability considerations the pilot began with the rollout of several dozen iOS devices. The pilot is expanding to several hundred iOS devices to be used across 15 documented use cases including uses by Regional Directors, Federal Security Directors, Inspectors, Bomb Appraisal Officers, Behavior Detection Officers, Chief Counsel, Security Capabilities, and other groups. The use cases will test the usability and value iPhone and iPads in a number of remote operating locations at airports, checkpoints, and elsewhere in the field. To support this pilot, OIT requires the purchase of iOS devices including peripherals and accessories, AppleTV devices, and AppStore applications.

Training/Presentations

"Becoming more efficient and effective" is another key enabler that will allow TSA to evolve into a "high performing, counter-terrorism organization." One potential efficiency is the use of secure mobile computing devices in the tablet form factor for the delivery of training and presentations. TSA personnel constantly deliver training, briefings, and other presentations to internal and external audiences. TSA requires a solution that allows personnel to travel with lightweight equipment. TSA intends to pilot the use of AppleTV (with AirWatch functionality) devices paired with an iPad for the delivery of training and presentations. The AppleTV is a unique device (less than 4" square and ½lbs.) that can be connected to a TV monitor or projector (via HDMI) and communicate wirelessly with an iPad to display content including training material and presentations), eliminating the need to travel with a laptop and projector. The AppleTV may also be piloted in conjunction with the delivery of the video National Shift Brief.

Application Development

In 2010, TSA developed the MyTSA iPhone application for citizens and travelers. The application was specifically developed for the iPhone based on the success of that device and its relative market share in the smartphone market. Since its launch, the application has been downloaded over 250,000 times, has been recognized as one of the best federally-developed mobile applications, and has received a number of awards. To maintain MyTSA and to develop and test additional iOS applications, TSA requires the purchase and maintenance of MacOS equipment and peripherals, iOS devices, development software including Apple's free Xcode Integrated Development Environment (IDE), and developer licenses necessary for digitally signing iOS applications and posting applications in the Apple AppStore.

Apple AppStore (iTunes)

The Apple AppStore (iTunes) contains over 585,000 apps for the iPhone and iPad. Applications generally range in price from free to \$29.99 with more than half being free and the average paid app costing less than \$2. A general trend in moving from website content to applications and the availability of highly useful applications at little or no cost provides TSA an opportunity to "become a more efficiency and effective organization." As such, TSA has a requirement to acquire COTS iOS applications with the potential to improve efficiency and enhance mission effectiveness. Example applications include Google Translate, FastCase, CFR (reference), SmartTraveler (DoS), Travel Emergency, FBI Most Wanted, airline apps, Amtrak, AmberAlerts, FlightTrack, Weather, FaceTime (VTC), Good Technology, QuickOffice,

As the manufacturer of these products, Apple Inc. holds proprietary and exclusive rights to the Apple line of products including hardware, operating system software, application software, and peripherals and is the sole provider of warranty and repair services. Although these products are sold via multiple vendors, the name brand, licensing, and control remains with Apple, Inc.

SECTION VI: Efforts to Obtain Competition

Apple products only utilized the iOS operating system. Unlike MicroSoft Windows which can operate on many manufacturer PCs, there is no other type of equipment which is compatible with the iOS operating system. This decision has been a long standing business model for Apple and as such there is no direct competition for Apple products. The use cases identified in Section V above will support the study and analysis of Apple products and the Apple iOS in a larger sample for determination upon the feasibility for insertion into the historically Windows based computing environment of TSA. The information gained through this class of purchases will be used to support the acquisition strategy for procuring computing capability in the future for TSA.

SECTION VII: Anticipated Procurement Cost

This Class J&A has a ceiling value of \$3 million over 3 years. This class authorization will expire three years after date of authorization or when \$3M dollars of Apple products or services have been procured under this authorization, whichever come first. The \$3M ceiling is based upon the anticipated purchase of 1,000 Apple computers and an additional 1,000

Apple devices such as iPads, iPhones, and iPods over the next 3 years.

SECTION VIII: Market Research

Research clearly shows that the major players in the mobility space are Microsoft, Blackberry, Google, and Apple. Shipping more than 100 million iOS devices Apple based products are currently used more than any other single manufacturers. Blackberry, with a similar business model is second while non-hardware vendors Microsoft and Google through their respective use of windows mobile and android OS on many different manufacturers hardware have a much larger base of devices in use. Most major companies and many government organizations have changed from a single support model, i.e., Blackberry. to a much more diverse support model some even going so far as to allow employees to choose the best device and applications for their specific mission.

The public use for smartphones and tablets is nearly evenly split between Apple iOS and Google Android OS's. On the mission applications nearly every Government and commercial organization first releases for the Apple platforms then Android. For the tablet and smartphone market there are over 106 publicly available government written applications. Many applications are only available on the Apple iOS platform such as Smartraveler, FBI, FCC, EPA, and GAO, while others such as WISER (Wireless system for emergency responders) have been released on both platforms. Public applications such as Amber Alerts that could significantly enhance our capabilities have the same issues.

Switching the focus to the notebook PC type lines, Microsoft and Apple hold nearly all of the market share with most major applications released for one or both of those operating systems. Specialized occupations and business functions fall into these two user groups with arts, high end graphics, Video, TV, and academia tending more Apple while traditional industry, government, business leaning to Microsoft based. This results in the need to support both in order to utilize the "right tool for the Job" and leverage efficiencies and expertise at a lower TCO and faster return. The market split also forces forensics, application developers, and security to have both capabilities in their inventory to respond to incidents and missions. This is readily evident when you look at the breadth of devices that use these embedded technologies, including Televisions, cameras, ID card checkers, barcode readers, security technology, and audio-visual systems

Apple products are available for purchase directly from Apple as well as Apple Certified resellers. Research has identified that there are several markets available to reach small business certified resellers of Apple products, such as DHS First Source, GSA, and NASA SEWP. For all procurements authorized under the proposed J&A TSA shall utilize small businesses or further defined socio-economic categories for obtaining Apple products, unless there other laws or regulations which make the usage of small business not a viable procurement option.

SECTION IX: Other Factors

The TSA started an effort in 2009 to diversify and mobilize our IT model in support of our mobile and agile workforce. The multidiscipline team supporting this effort also reaches out to look at COTS and GOTS applications that for little or no cost can enhance our mission effectiveness. Our mandate to provide collaboration, transparency and mobile access drives the need to embrace these technologies when they are the appropriate to support the mission. With the explosion of vendors and specialized devices using and often dictating these technologies leaves us with no choice but to embrace, test, secure, develop on and use the major ones.

SECTION X: List of Interested Sources

First Source contract re-sellers Computer World, ST Net Apptis, Gov Place, and Government Acquisitions, GSA contract holders CDWG, Gov Connections and Apple Corporation directly.

SECTION XI: Actions Taken to Remove Barriers to Competition

Until such time as Apple allows other operating systems to function on its hardware the requirement to obtain Apple products by means other than full and open competition will continue to exist.

SECTION XII: Technical or Requirements Personnel Certification

I certify that this requirement meets the Government's minimum need and that the supporting data, which forms a basis for this justification, is complete and accurate.

KEVIN LAWSON

Name (Printed)

Kevin Lawson

Signature

5-9-2012

Date

SECTION XIII: Contracting Officer Certification

I certify that this justification is accurate and complete to the best of my knowledge and belief.

Kristin S. Fuller

Name (Printed)

Kristin S. Fuller

Signature

09 MAY 2012

Date

SECTION XIV: Legal Review (applies for actions over \$100K)

I have reviewed this Justification and Approval and I concur that, based on the representations contained within, this justification is legally sufficient.

CHRISTIAN JORDAN

Name (Printed)

Christian Jordan

Signature

19: MAY: 2012

Date

SECTION XV: Concurrence and Approval

The required levels of concurrence and approval of this J&A depend on the estimated total value of the procurement. Concurrence and approval must be obtained for that level and each previous level. Refer to the Attachment to MD 300.13 for concurrence and approval thresholds for the J&A.

Estimated Procurement Value:**\$2,000 - \$100,000 for Construction****\$2,500 - \$100,000 for Services****\$3,000 - \$100,000 for Supplies****Concurrence:**

Program Manager:

KEN CARTER

Name (Printed)

Ken Carter

Signature

9 May 12

Date

Acquisition Official Approval:

Contracting Officer:

Kristin S. Fuller

Name (Printed)

Kristin S. Fuller

Signature

09 MAY 2012

Date

Estimated Procurement Value: \$100,001- \$550,000**Acquisition Official Approval:**

Division Director:

Carl DeBernard

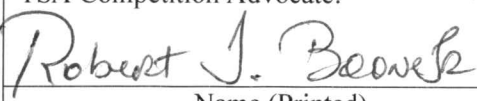
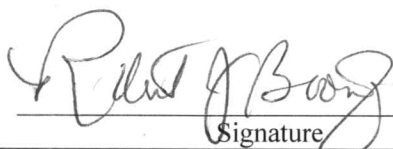
Name (Printed)

Carl DeBernard

Signature

5/10/2012

Date

Estimated Procurement Value: \$550,001- \$5,000,000		
Acquisition Official Approval:		
TSA Competition Advocate:		
 Name (Printed)	 Signature	5/11/2012 Date
Estimated Procurement Value: \$5,000,001- \$11,500,000		
Acquisition Official Approval:		
Deputy Assistant Administrator:		
Name (Printed)	Signature	Date
Estimated Procurement Value: \$11,500,001- \$57,000,000		
Concurrence:		
Assistant Administrator:		
Name (Printed)	Signature	Date
Acquisition Official Approval:		
Head of Contracting Activity:		
Name (Printed)	Signature	Date
Estimated Procurement Value: \$57,000,001 and up		
TSA Deputy Administrator Approval:		
TSA Deputy Administrator:		
Name (Printed)	Signature	Date
Department of Homeland Security Approval		
<i>I have reviewed this Justification and Approval and I approve the decision to use other than full and open competition.</i>		
Name (Printed)	Signature	Date